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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
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11 ERIC ALSTON,

12 Petitioner,

2:02-cv-01817-GEB-KJM-P

13 vs.

14 TOM L. CAREY,

15 Respondent.

ORDER

16 _____/
17 Petitioner is a California prisoner proceeding pro se
18 with an application for writ of habeas corpus under 28 U.S.C.
19 § 2254. The matter was referred to a United States Magistrate
20 Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General
21 Order No. 262.

22 On August 16, 2005, the magistrate judge filed findings
23 and recommendations herein which were served on all parties and
24 which contained notice to all parties that any objections to the
25 findings and recommendations were to be filed within twenty days.
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1 Neither party has filed objections to the findings and
2 recommendations.

3 The court has reviewed the file and finds the findings
4 and recommendations to be supported by the record and by the
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
6 that:

7 1. The findings and recommendations filed August 16,
8 2005, are adopted in full; and

9 2. Petitioner's application for writ of habeas corpus
10 is denied.

11 Dated: September 19, 2005

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13 /s/ Garland E. Burrell, Jr.
14 GARLAND E. BURRELL, JR.
15 United States District Judge
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